IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 513 OF 2004

SHRI ACCHELAL ZARIHAG YADAV,CHICALIM GOA. ....Petitioners

Versus

THE VASCO PLANNING AND DEVELOPMENT AUTHORITY & ANR ....Respondents

Shri Zeller De Souza, Advocate for the petitioner.

Shri Menino Pereira, Advocate for the respondent No.1.

Shri S. S. Kantak, Advocate General with Ms. Leena Dharwadkar, Addl. Government Advocate for the respondent No.2.

Coram:- R. M. LODHA, J.

Date:- 14th September, 2005

P.C.

Mr. Zeller De Souza, the learned Counsel for the petitioner does not press the writ petition on merits. He, however, submits that one month's time may be given to the petitioner for removing the alleged unauthorised construction. He also submits that liberty may be granted to the petitioner to raise new construction after seeking permission from the competent authority.

The prayer made by the learned Counsel is fair and reasonable. The writ petition is allowed to be withdrawn. One month time is granted to the petitioner for removal of the unauthorised construction. This will not preclude the petitioner in making the application for new construction to the competent authority and if such an application is made, the competent authority shall consider the same in accordance with law uninfluenced by the impugned order.

R. M. LODHA, J.